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# El Paso's Lone Abortion Facility Reopens in Wake of Supreme Court Decision



The Hilltop Women's Reproductive Clinic, El Paso's only clinic which provides abortion procedures, re-opened its doors last week and is now offering procedures again as a result of a Supreme Court ruling last month. The ruling granted a tentative injunction which allowed the clinic to resume offering abortions pending the outcome of an ongoing legal battle over restrictive legislation. (Photo: Andrew Kennis, teleSUR)

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**The latest ruling in an ongoing legal battle has allowed El Paso's only clinic to re-open to women who were previously undertaking unusual measures to get abortions, or simply forgoing having them altogether.**

Purposefully timed to coincide with last week's midterm elections, El Paso's only abortion clinic re-opened its doors to patients last week. The Hilltop Women's Reproductive Clinic was previously forced to close by an appeals court ruling, but the Supreme Court overruled this, allowing the Clinic to reopen.

"It's time that we women stand for our rights and not hide from it and vote for the proper people who will open those doors for us as opposed to people who will close those doors for us," nurse administrator Gloria Martinez told local media in the wake of the clinic's re-opening.

An abortion doctor who performed procedures at the clinic said that 12 patients had been attended to on the day of the clinic's re-opening.

The Hilltop clinic's return to operation comes in the wake of an ongoing legal saga pitting the state's leading officials against reproductive rights advocates. Most prominently, former Attorney General and Governor-elect Greg Abbot are strong anti-abortion supporters.

### Unusual Measures Taken

Throughout the cat-and-mouse battle in the courts, interviews given to teleSUR by women seeking out abortions have revealed unusual measures being taken in order to obtain procedures, including taking out loans or undertaking sizable driving distances.

Many more women have simply forgone having the procedure done altogether. One recent [study](#) published this past summer, detailed a 13 percent drop in abortions performed from before the time a measure known as HB2 was implemented.

The HB2 ruling gave Texas permission to require that all abortion clinics need to meet the same standards as hospital-style surgical centers. Abortion providers said these are unnecessary, and it required them to spend millions on upgrades. As a result, 13 of the 21 abortion clinics left that day, in a state with over 6 million women of reproductive age.

A number of women who recently obtained abortions spoke to teleSUR, including one case of an undergraduate university student who took a four-hour drive to Albuquerque. The student, who has aspirations to attend graduate school, said that Albuquerque, in the wake of the El Paso clinic closure, was the closest city with supportive family members where she could obtain an abortion.

According to another woman who spoke to teleSUR, she was forced to spend significantly more on her abortion because of HB2. Already a mother of a previous child and 41 year-old single mother, she was forced to triple her travel time and had to borrow money to obtain the procedure. She told teleSUR that her pregnancy was unexpected and accidental, having occurred in spite of birth control being used.

"I simply cannot afford to unexpectedly have another child right now," the middle-aged woman told teleSUR in a distressed voice.

Yvonne Gutierrez, the Executive Director of Planned Parenthood of Texas, explained that some, "60 percent of women who need access to abortion are actually already mothers, so they are already trying to find child care." Restrictive laws like HB2, Gutierrez added, result in decisions, "essentially not being left up to the woman on whether or not she can access an abortion, even though she already has other children she is caring for."

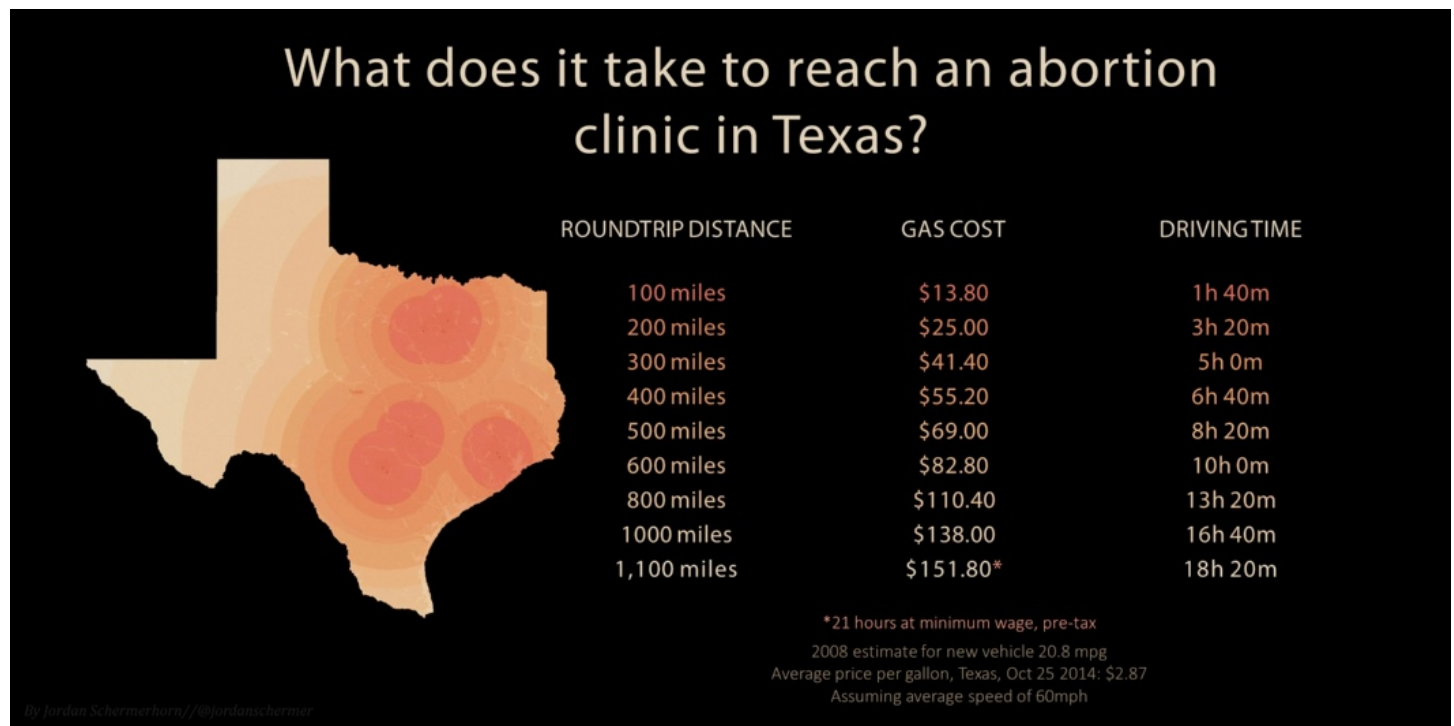
Another Planned Parenthood administrator detailed the struggle of one patient to teleSUR, who had ran out of money after traveling on a four-hour bus ride necessitating a panicked call to the clinic he runs.

"She came from a small rural town, and didn't understand what a cab fare could cost from downtown San Antonio to where we were. She had already spent all her money. So we of course sent someone to go pick her up," said Jeffrey Hons, who is the Executive Director of Planned Parenthood for South Texas.

"When you look at an individual story of a woman, I just – I am dumbfounded when I look at some of our lawmakers, who can hear these stories, and evoke no compassion in them for the situation of that woman," Hons added.

At least one of the lawmakers to which Hons was referring was none other than the Governor-elect, Greg Abbott. In a remark given while in the midst of his tenure as Attorney General, Abbott said that, "it is undisputed that the vast majority of Texas residents, more than 83 percent, still live within a comfortable driving distance [of about] 150 miles" of an abortion clinic.

**Data** from Fund Texas Women, a fund which assists low-income women seeking abortions, revealed a reality that is far from “comfortable” for low-income women hailing from southern and central Texas.



(Graphic Credit: Jordan Schermerhorn)

The figures show what costs would have to be endured in order to get an abortion. The nearest abortion clinic for women from those regions would be between 400 and 1000 miles away, costing them anywhere between \$50 and \$151 in gas **costs** alone. That is on top of the average \$300 to \$950 costs for the procedure itself. By those measures, minimum-wage workers would have to spend a half-week's salary just to cover gas costs.

### Legal Bout Has Drawn-Out, Confusing and Ongoing History

The confusing and drawn-out legal bout over reproductive rights in Texas first began when challenges quickly arose to sweeping anti-abortion legislation, often referred to by its bill's moniker, “HB2” (short for **Texas House Bill 2**).

In the wake of a number of previous favorable rulings that were initially supportive of HB2's restrictiveness, including a ruling handed down by the Supreme Court itself in October 2013, an unexpected turn in the courts took place just this past August.

At that time, Federal Court Judge Lee Yeakel issued a scathing ruling against HB2. Yeakel's decision considered HB2's provisions nothing short of “unconstitutional.” Yeakel wrote in his decision that HB2 provisions resulted in something akin to “a complete ban on abortion” for many clinics.

The Fifth Circuit Court of Appeals, stacked by Bush-era appointees, decided to reverse the Yeakel decision while a state-led appeal made its way through the courts. Just 12 days following that ruling, however, the Supreme Court stepped in and in a six to three vote, overruled the Fifth Circuit's nullification of Yeakel's injunction and upheld his barring of key parts of HB2.

Clinics gradually began re-opening, including the case of El Paso's lone abortion clinic, which was specifically earmarked along with a McAllen-based clinic, in the restored and at least tentatively upheld Yeakel decision.

In the meantime, Hons of Planned Parenthood is not taking any chances in San Antonio and is forging the way for a multimillion dollar facility to be built sometime in early 2015. One of the motives behind the facility's planned opening includes being able to withstand whatever legal ruling is decided in the fate of HB2 legislation.

HB2's fate is expected to be examined in coming months. Before the New Year a New Orleans-based appellate court will likely decide the fate of this seemingly never-ending legal battle.

See more on this topic: [Legal Bout over Reproductive Rights in Texas Continues](#)



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